

**DETAILED ACTION**

***Response to Amendment***

1. This action is in response to the amendment filed on December 23, 2009. Claims 1-49 were originally pending consideration. Per the received amendment, claims 2, 6, 8, 11, 13, and 20-49 are cancelled, and claims 50-53 are added.
2. Claims 1, 3-5, 7, 9, 10, 12, and 50-53 are currently pending consideration.

***Information Disclosure Statement***

3. Initialed and dated copies of Applicant's IDS (form 1449), received 1/14/10 and 2/10/10, are attached to this Office action.

***Response to Arguments***

Applicant's arguments filed on December 22, 2009 have been fully considered but they are not persuasive for the following reasons:

Regarding claim 19, the Applicant argues that the Cited Prior Art (CPA), Ueda et al. (U.S. Patent 6,289,102), does not disclose recording copy control information in a control information unit within the recording medium and an area other than the first specific area where the copy protection data is first stored. This argument is not found persuasive. The CPA discloses that the scramble information sector contains four entries of the table, with each entry consisting of a set of a seed key and preset data

(column 16, lines 22-28). Furthermore, the CPA states that the seed key is the same for every file (column 15, lines 55-60). Therefore, it is asserted that the CPA does teach recording copy control information in a control information unit within the recording medium and an area other than the first specific area where the copy protection data is first stored.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5, 7,9,12, and 14-18 rejected under 35 U.S.C. 102(b) as being anticipated by Ueda et al. (U.S. Patent 6,289,102).

Regarding claim 1, Ueda discloses:

A method of recording copy protection information on a recording medium, comprising:

recording encrypted data on the recording medium (column 14, lines 19-25: *sector housing encrypted data*); and

recording copy protection information required for decrypting the encrypted data in first area and additionally in a second area other than the first area (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in*

*different areas*), wherein the second area is separated from the main data area (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

recording position information for indicating a position of at least the copy protection information in the second area (column 15, lines 8-20: *pointer to key information*).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Ueda discloses:

The method set forth in claim 1, wherein the second area includes an area within a lead-in area and/or lead-out area defined in the recording medium (column 15, lines 45-60: *key information can be recorded in a lead-in area*).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Ueda discloses:

The method set forth in claim 1, wherein control information about the recording medium is recorded in the lead-in area defined in the recording medium and the control information is duplicated in an area other than the first area (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*).

Regarding claim 7, Ueda discloses:

A recording medium having a data structure for managing decryption and copy protection information by a recording apparatus, comprising:

a data area for storing encrypted data (column 14, lines 19-25: *sector housing encrypted data*);

a first area for storing copy protection information required for decrypting the encrypted data (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

at least one second area storing a duplicate of the copy protection information (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

a third area for storing information associated with a position where the copy protection information is recorded, wherein the position information indicates at least a position of the duplicated copy protection information (column 15, lines 8-20: *pointer to key information*).

Claim 9 is rejected as applied above in rejecting claim 7. Furthermore, Ueda discloses:

The recording medium set forth in claim 7, wherein the first and second areas include an area within a lead-in area and/or a lead-out area defined in the recording medium (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*).

Regarding claim 12, Ueda discloses:

A method of reproducing a recording medium, comprising the steps of:

driving the recording medium storing encrypted data (column 14, lines 19-25: *sector housing encrypted data*);

detecting copy protection information, which is required for decrypting the encrypted data, recorded repeatedly in a specific area of the recording medium or copied in a specific area from an area where original copy protection information is recorded (column 14, lines 19-25, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

performing a decryption of the encrypted data based on the detected copy protection information (column 15, lines 60-67: *wherein the data is decrypted depending on the flag value*),

wherein at least the second area is separated from the main data area (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in different areas*), and

the detecting step detects the copy protection information based on a position information to indicate a position where the copy protection information is recorded (column 15, lines 8-20: *pointer to key information*).

Claim 14 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein the specific area includes an area within a lead-in area and/or lead-out area defined in the recording medium (column 15, lines 45-60: *key information can be recorded in a lead-in area*).

Claim 15 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein the copy protection information is recorded differently depending on a manufacture of the recording medium, wherein the step (b) detects the copy protection information based on a position information to indicate a position where the copy protection information is recorded (column 15, lines 8-20: *pointer to key information*).

Claim 16 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein the step (b) includes a step of detecting position information for at least one of the repeated copy protection information and reads at least one of the repeated copy protection information based on the position information (column 15, lines 8-20: *pointer to key information*).

Claim 17 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein the step (b) includes a step of detecting position information for at least one of the repeated copy protection information stored in a predetermined position in a recording/reproducing apparatus and reads the repeated copy protection information based on the position information

(column 15, lines 8-20: *pointer to key information*).

Claim 18 is rejected as applied above in rejecting claim 12. Furthermore, Ueda discloses:

The method set forth in claim 12, wherein, the step (b) detects other one among the repeated copy protection information if an error occurs in the detection of the copy protection information (column 15, lines 8-20: *pointer to key information*).

Regarding claim 50, Ueda discloses:

An apparatus for reproducing data from or recording data on a recording medium, comprising:

a pickup unit configured to read data from the recording medium (column 14, lines 19-25: *sector housing encrypted data*);

a controller configured to control the pickup unit to detect copy protection information based on a position information to indicate a position where the copy protection information is recorded (column 15, lines 8-20: *pointer to key information*), the copy protection information being required for processing the copy-protected data and recorded in first area and in second area of the recording medium, the first area including original copy protection information and the second area including copied copy protection information (column 14, lines 19-25, column 15, lines 31-45, column 16, lines 23-35: *wherein keys are recorded in different areas*); and

a processor configured to process the copy-protected data using detected copy protection information (column 15, lines 60-67: *wherein the data is decrypted depending on the flag value*),

wherein the controller is configured to identify the position of the copy protection information from the position information present within a basic information unit required for controlling a recording or reproducing of the copy-protected data in the recording medium (column 15, lines 8-20: *pointer to key information*).

Claim 51 is rejected as applied above in rejecting claim 50. Furthermore, Ueda discloses:

The apparatus set forth in claim 50, wherein the controller is configured to control the pickup unit to detect the copy protection information from the first area (column 15, lines 8-20: *pointer to key information*).

Claim 52 is rejected as applied above in rejecting claim 50. Furthermore, Ueda discloses:

The apparatus set forth in claim 50, wherein the controller is configured to control the pickup unit to detect the copied copy protection information from the position information for indicating a position of the copied copy protection information (column 15, lines 8-20: *pointer to key information*).



Claim 53 is rejected as applied above in rejecting claim 52. Furthermore, Ueda discloses:

The apparatus set forth in claim 52, wherein the controller is configured to control the pickup unit to detect the copied copy protection information using the position information if the detection of the original copy protection information recorded in the first area fails (column 15, lines 8-20: *pointer to key information*).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 10, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueda et al. (U.S. Patent 6,289,102) in view of Timmermans et al. (U.S. Patent 5,737,286).

Claim 4 is rejected as applied above in rejecting claim 1. Ueda does not explicitly disclose that the copy information in the first or second area is formed as a wobble pattern. Timmermans, in an analogous art, discloses that the copy protection

information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 10 is rejected as applied above in rejecting claim 7. Ueda does not explicitly disclose that the copy information in the first or second area is formed as a wobble pattern. Timmermans, in an analogous art, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

Claim 19 is rejected as applied above in rejecting claim 12. Ueda does not explicitly disclose that the copy information in the first or second area is formed as a wobble pattern. Timmermans, in an analogous art, discloses that the copy protection information is formed as a wobble pattern (Timmermans: column 7, lines 9-14). It would have been obvious to one of ordinary skill in the art to use the wobble pattern of Timmermans in the system of Ueda in order to aid the digital file recovery process (Timmermans: column 7, lines 9-12).

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAVEH ABRISHAMKAR whose telephone number is (571)272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kaveh Abrishamkar/  
Primary Examiner, Art Unit 2431

/K. A./  
04/11/2010  
Primary Examiner, Art Unit 2431